

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14260, of 1020 16th Street Associates, pursuant to Sub-section 8207.2 of the Zoning Regulations, for special exceptions under Paragraph 4104.44 to permit the use of the existing structure as offices of an international organization, non-profit organization, labor union, architect, dentist, doctor, engineer, lawyer or similar professional person, with an addition of four stories to be used for residential purposes, and under Sub-section 3308.2 to permit a roof structure not meeting the normal setback requirements located in an SP-2 District at premises 1020 16th Street, N.W., (Square 184, Lot 17).

HEARING DATE: March 13, 1985  
DECISION DATE: April 3, 1985

FINDINGS OF FACT:

1. The subject property is located on the west side of 16th Street between K and L Streets and is known as premises 1020 16th Street, N.W. It is zoned SP-2.

2. The site contains approximately 2,761 square feet of lot area. The lot is rectangular in shape with a frontage of 26.58 feet along 16th Street and a depth of 100.5 feet.

3. The subject site is currently improved with a four-story masonry row structure which was constructed as a residence in approximately 1917 and which has been occupied since 1959 by a private club known as the Gaslight Club.

4. The applicant is seeking approval of two special exceptions in order to renovate the existing building and construct a four-story addition to the subject premises for a mixed residential/office development.

5. The applicant proposes to use the lower four floors of the building for office space. Paragraph 4101.44 authorizes the Board to approve use as offices for an international organization, nonprofit organization, labor union, architect, dentist, doctor, engineer, lawyer or similar professional person, provided that:

- A. The use, height, bulk and design are in harmony with the existing uses and structures on neighboring property;

- B. The use will not create dangerous or other objectionable traffic conditions; and
- C. The Board may require such special treatment in the way of design, screening of buildings, access, uses, signs and other facilities as it shall deem necessary to protect the value of neighboring property.

6. The subject site is located in Square 184, which is split-zoned SP-2 and C-4. The immediate vicinity of the site is characterized by a mix of uses including professional offices, non-profit organizations such as the National Geographic Society, the International Union of Electrical Workers and the American Chemical Society, a private club, Benjamin Franklin University, the Soviet Embassy, residential uses including apartment buildings and the Capitol Hilton Hotel.

7. The existing four-story structure is bounded on the north and south by eight-story office and apartment buildings. The application proposes to construct a four-story addition to the existing structure which will create a building that is typical of the height, bulk and design of other buildings in the neighborhood.

8. The proposed development will be ninety feet in height along the 16th Street frontage and contain eight stories, with a gross floor area of 16,207 square feet and a floor area ratio of 6.0. Of the total floor area ratio, 3.48 will be devoted to SP-type office use and 2.52 will be devoted to residential use.

9. The proposed addition will contain seven two bedroom apartment units. A court will be provided on the south side of the building at the fifth floor level to provide light and air to the residential units. The rear portion of the eighth floor will be used for an outdoor rooftop garden for the common use of the residents of the building.

10. The Zoning Regulations require five parking spaces for the proposed development. The prior use of the premises as a private club required that sixteen spaces be provided. Therefore, no parking spaces are legally required to be provided on-site. The applicant proposes to provide two full-size parking spaces at the rear of the site.

11. The applicant's traffic analysis indicates that adequate parking to serve residents, employees and visitors to the site is available in the immediate area. There are three parking garages located in the subject square. Six additional parking garages are located within two blocks of the subject site. In addition, the traffic analysis projects

that the proposed office/residential use of the subject premises will generate less traffic than that generated by the previously existing private club.

12. The subject site is well served by public transportation. There are approximately twenty bus routes serving the area along 16th Street, K Street and Connecticut Avenue. Two Metrorail stations are within two blocks of the site.

13. Paragraph 4201.22 of the Zoning Regulations requires that all roof structures in an SP District be set back one foot from all lot lines for each foot of height above the level of the roof. Sub-section 3308.1 of the Zoning Regulations further requires that the enclosing walls of the roof structure be of equal height. The proposed roof structure does not comply with those requirements. A special exception pursuant to Sub-section 3308.2 is, therefore, required.

14. The applicant proposes to erect a roof structure containing a stair tower, elevator machinery, fans, pumps and other equipment. The proposed roof structure will have a maximum height of sixteen feet above the roof level and slope down over the stair tower to the level of the roof. The materials of the proposed roof structure will blend harmoniously with the facade of the building.

15. Due to the narrow width of the subject lot, full compliance with the setback requirements is not feasible. Placement of the penthouse in the center of the building and in compliance with the setback requirements would result in a break in the configuration of interior office and residential space and would limit the height of the structure to approximately 3.5 feet.

16. The proposed penthouse will be set back 8.75 feet from the lot line on the south and will be adjacent to the common wall on the north property line. The penthouse will comply with the setback requirements along the 16th Street frontage and at the rear of the structure. Due to existing development, the applicant is unable to increase the width of the lot to eliminate the need for the requested relief.

17. The applicant's architect testified that the substitution of an underslung elevator in the subject structure was not practical nor economically feasible because it would require underpinning the existing eight-story buildings to the north and south of the subject site and could adversely affect the structural integrity of both of those structures and the subject premises. The Board so finds.

18. The applicant's architect further testified that the location and design of the proposed penthouse will serve to minimize the degree of noncompliance and minimize any

potential impact on light and air. The penthouse will meet the setback requirements from property lines abutting 16th Street and the public alley. The sloped walls of the penthouse enclosure will decrease the overall bulk of the roof structure and will have less impact on adjacent structures than a penthouse enclosure having walls of equal height.

19. The proposed project complies with all other area requirements of the Zoning Regulations for the SP-2 District. No variance relief is required.

20. The Office of Planning, by memorandum dated March 4, 1985, recommended that the application be approved. The Office of Planning was of the opinion that the applicant met the test for the special exceptions requested. The Office of Planning was further of the opinion that the proposed development would fill in the notch of the streetscape with an appropriately designed and scaled mixed-use development consistent with the intent and purpose of the Zoning Regulations. The Board so finds.

21. A representative of Advisory Neighborhood Commission 2B testified at the public hearing that the ANC, at its meeting of February 27, 1985, voted to support the application. The written report of the ANC was not submitted to the record in a timely manner and was, therefore, not accepted by the Board. The testimony of the ANC representative did not enumerate any issues or concerns which the ANC may have had regarding the proposed project.

22. The Residential Action Coalition (RAC), by letter dated March 9, 1985, supported the granting of the subject application. A representative of the RAC testified at the public hearing that RAC had some concern regarding the height of the proposed penthouse in relation to the penthouses on adjoining structures, but that it supported the proposed project because it complies with the height requirements, is providing a mixed use development as permitted in the SP-2 District, and is creating needed housing units in the area.

23. A resident of the cooperative building at 1026 16th Street, immediately north of the subject site, appeared at the public hearing. He indicated that he was not in opposition to the application but did have questions of the applicant regarding the issues of light and air, the height of the roof structure in relation to 1026 16th Street, the use of the common wall between the buildings and parking availability in the area. The applicant and the witness agreed to discuss the issues raised at the conclusion of the hearing.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is requesting two special exceptions. In order to be granted such relief, the applicant must demonstrate substantial compliance with the requirements of Paragraph 4104.44 and Sub-section 3308.2. The Board concludes that the applicant has met its burden of proof.

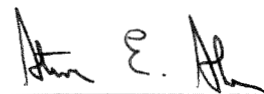
The Board concludes that the applicant has met the requirements of Paragraph 4104.44 in that the use, height, bulk and design of the proposed addition are in harmony with the existing uses and structures on neighboring property as set forth in Findings of Fact Nos. 6 and 7. The proposed mixed use development will not create dangerous or otherwise objectionable traffic conditions as set forth in Findings of Fact Nos. 10, 11 and 12. The proposed mixed use development is consistent with the intent and purpose of the SP-2 District and will serve to protect the value of neighboring properties. The Board further concludes that the applicant has complied with Sub-section 3308.2 in that it is impracticable to fully comply with the requirements of Sub-section 3308.1 due to the narrow width of the subject lot, existing improvements adjacent to the site and the location of court space on the site. The sloped design of the penthouse enclosure will minimize its impact on neighboring property and is, therefore, preferable to a penthouse design requiring walls of equal height.

The Board concludes that both special exceptions are in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to adversely affect the use of neighboring properties in accordance with said regulations and map. It is, therefore, ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to grant; Lindsley Williams to grant by proxy; Douglas J. Patton not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: \_\_\_\_\_

29 JUL 1985

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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